

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,) Criminal No. 19-257(1) (MJD/KMM)
v. Plaintiff,)
AMANDA MARIE LETOURNEAU,) **DEFENDANT'S PRETRIAL MOTION**
Defendant.) **TO COMPEL ATTORNEY FOR THE**
) **GOVERNMENT TO DISCLOSE**
) **EVIDENCE FAVORABLE TO THE**
) **DEFENDANT**

Amanda Marie Letourneau, through her undersigned attorney, moves the Court for an Order compelling disclosure of evidence favorable to the defendant, pursuant to the authority of *Brady v. Maryland*, 373 U.S. 83 (1963), *Giglio v. United States*, 405 U.S. 150 (1972), and their progeny. Such evidence should include information in the possession of the prosecution or any of its agents, or other evidence the existence of which is known, or by the exercise of due diligence may become known to the prosecution. *See Kyles v. Whitley*, 514 U.S. 419 (1995). The government's disclosure obligations include any evidence that: (1) may be favorable to the defendant, (2) could reasonably weaken or affect any evidence that may be introduced against the defendant, (3) is otherwise relevant to the subject matter of this case and may in any manner aid the defendant in the investigation or preparation of her case for trial or sentencing.

Ms. Letourneau moves that this Order direct the prosecution to review the files of all agencies involved in the case to determine whether any additional exculpatory material exists and to disclose such material to the defense, and that it further direct all law enforcement agencies involved in any way with this case and its underlying investigation disclose all exculpatory materials.

Ms. Letourneau moves that this disclosure be made without regard to whether the evidence may be admissible and that it shall include, but is not limited to, the following:

1. Any identification of persons other than Ms. Letourneau by eyewitnesses to the crime.
2. Any failure to identify Ms. Letourneau by any eyewitnesses to the crime.
3. Any statements of any witnesses whether indicted or not, exculpating the Ms. Letourneau.
4. Any statements of witnesses, whether indicted or not, which contradict statements of other witnesses.
5. Any reports of interviews relating to Nos. 3 and 4.
6. Any prior convictions of prospective government witnesses.
7. Any offers or promises made to prospective government witnesses to induce their cooperation against the defendant whether or not the government intends to call those persons as witnesses.
8. Any photographs used by the government agents in their investigation to identify Ms. Letourneau or her co-defendant.
9. All pieces of identification bearing any of Ms. Letourneau's names in combinations different than that appearing on the caption of the indictment.

This motion is based on the Indictment and the United States Constitution.

Dated: November 12, 2019

Respectfully submitted,

s/Shannon Elkins

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